

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

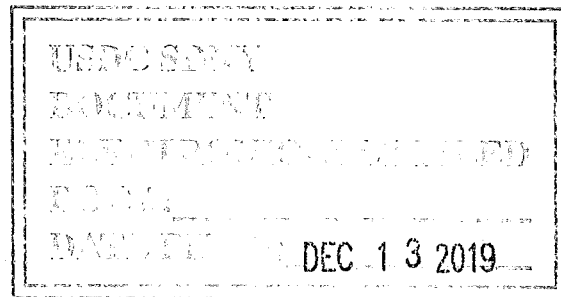
Lodging Solutions, LLC d/b/a Accommodations
Plus International,

Plaintiff,

—v—

Robert Miller, Fleetcor Technologies, Inc.,
Travelliance, Inc., and Corporate Lodging
Consultants, Inc.,

Defendants.



19-CV-10806 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On December 13, 2019, the Court received a letter from Plaintiff, asking that the preliminary injunction hearing scheduled for December 17, 2019 be adjourned. Dkt. No. 34. The Court subsequently received a letter from Defendants opposing the adjournment. Dkt. No. 38. Finally, the Court received a letter replying to Defendants' letter. Dkt. No. 41.

Because Defendants have given Plaintiff the option of either deposing John Coughlin in Atlanta on Monday, or having Mr. Coughlin appear in person at the December 17 hearing, the request for an adjournment is denied. Plaintiff has received what it asked for—a highly expedited preliminary injunction hearing with live testimony; and what it is entitled to—live testimony or a deposition in advance of the hearing of Mr. Coughlin. With respect to Mr. Clarke and Mr. Scislowski, the Court concluded based on the parties' previous submissions, that depositions on an accelerated schedule are not warranted. Plaintiff's accusation of gamesmanship on the part of the Defendants appears entirely unwarranted.

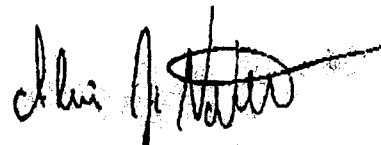
The preliminary injunction hearing will proceed as scheduled on December 17 unless: 1)

Defendants consent to Plaintiff's request to adjourn the hearing; or 2) Plaintiff foregoes a separate preliminary injunction hearing and proceeds to final resolution of the merits, pursuant to Federal Rule of Civil Procedure 65(a)(2). If the hearing is adjourned for either reason, then the Court will conduct a scheduling conference on Tuesday. If Plaintiff decides to consolidate the hearing with a trial on the merits, the Court will put the parties on a discovery schedule and schedule a hearing for final resolution on as expedited a basis as possible.

By noon, tomorrow, December 14, the parties must notify the Court by ECF letter whether Defendants have consented to an adjournment of the hearing and whether Plaintiff has decided to consolidate the hearing with a trial on the merits. Furthermore, if the hearing is not going to be adjourned, the parties must also notify the Court by noon tomorrow whether Mr. Coughlin will be deposed on Monday in Atlanta or appear in Court on Tuesday.

SO ORDERED.

Dated: December 13, 2019
New York, New York

A handwritten signature in black ink, appearing to read 'Alison J. Nathan', is written over a horizontal line.

ALISON J. NATHAN
United States District Judge